

~~HB~~
BMS

Telephone
(610) 954-8093

Law Offices
Donald P. Russo
117 East Broad Street
P.O. Box 1890
Bethlehem, Pennsylvania 18016-1890
russolaw@verizon.net

5

Telefax
(610) 954-8097

September 20, 2005

ATTN: Kim Williams, Clerk's Office
United States District for the Eastern
District of Pennsylvania
601 Market St., Room #2609
Philadelphia, PA 19106-1797

Re: Heater v. Kidspeace
No. ~~04-4545~~ file

Dear Ms. Williams: 05-4915

As per our conversation this morning, I have enclosed a hard copy of the exhibits for Plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Dismiss Complaint that was filed on September 15, 2005 in the above-captioned matter. If you should have any questions, please feel free to contact the office at any time.

Very truly yours,

Kristin Schmidt

Kristin Schmidt
Paralegal/Research Coordinator

KES
Enclosures

FILED

SEP 22 2005

By MICHAEL E. KUNZ, Clerk
Dep. Clerk

Exhibit A

PUB:ONEDOCKET

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA
CIVIL DIVISION
SUITS DOCKET

AS OF 07-Sep-2005 08:51:13

.....
:CASE # 2004-C-3259 :
:.....

CIVIL ACTION SUMMONS
TRANSFERRED TO
U S DISTRICT CRT
E DISTRICT OF PA

DONNA HEATER
57 MADISON LANE
WHITEHALL PA 18052

DONALD P. RUSSO , ESQ.

VS
KIDSPEACE
KIDSPEACE DRIVE
OREFIELD PA 18069

SEAN M HART , ESQ.

29-Nov-2004 CPT02/PRAE FOR SUMMONS. WRIT EXIT.

02-Feb-2005 2 PRAE TO REISSUE WRIT OF SUMMONS. SUMMONS RE-ISSUED.

22-Mar-2005 3 PRAE TO REISSUE WRIT OF SUMMONS. SUMMONS RE-ISSUED.

29-Mar-2005 4 SHRF RTN REISSUED SUMMONS: LEHI CO DPTY SHRF SERVED DFT ON
3/24/05 @ 1423 HRS.

13-Jul-2005 CPT01 COMPLAINT, NOTICE TO DEFEND. DAMAGES PRAYED FOR IN COUNT I
ISSUE A DECLARATORY JDGT DECLARING THAT THE DISCRIMINATORY
PRACTICES SET FORTH ARE UNLAWFUL, ENTER JDGT IN AN AMT
OF DAMAGES INCLUDING LIQUIDATED DAMAGES, OTHER RELIEF, ATTY
FEES & COSTS. COUNT II DFT BE PERMANENTLY ENJOINED FROM DIS-
CRIMINATING AGAINST PLTF ON ANY BASIS FORBIDDEN BY THE
5 AMERICANS WITH DISABILITIES, PUNITIVE DAMAGES, INTEREST ON
UNPAID WAGES, COSTS, ATTY FEES & OTHER RELIEF. COUNT III DFT
BE PERMANENTLY ENJOINED FROM DISCRIMINATING AGAINST PLTF ON
ANY BASIS FORBIDDEN BY THE APPLICABLE LAW PROHIBITING RE-
TALIATION, PUNITIVE DAMAGES, INTEREST ON UNPAID WAGES, COSTS
ATTY FEES & OTHER RELIEF. COUNT IV IN AN AMT TO BE DETER-
MINED BY THE COURT. EXHIBITS ATTACHED.

29-Jul-2005 STC04 STAT CONF SCHEDULED 08/10/2005@10:30 AM CR# 3B BEFORE LJB,J

04-Aug-2005 6 DFT'S APPLICATION FOR CONTINUANCE FROM 8/10/05 STATUS
CONFERENCE IS GRANTED & CASE IS CONTINUED TO 9/21/05 @
10:00 /S/ L J BRENNER J.

19-Aug-2005 7 DFT'S NOTICE OF FILING OF NOTICE OF REMOVAL &
CERTIFIED COPY OF NOTICE OF REMOVAL TO U S DISTRICT CRT FOR
THE E DISTRICT OF PA. AFDT OF SERVICE. EXHIBITS ATTACHED.

7-Sep-2005 — CASE TRANSFERRED TO US DISTRICT COURT FOR EASTERN DISTRICT
OF PA VIA CERTIFIED MAIL #7160 3901 9842 5405 4259 (1
ENVELOPE).

PUB:ONEDOCKET

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA
CIVIL DIVISION
SUITS DOCKET

AS OF 07-Sep-2005 08:51:13

CASE # 2004-C-3259 :
:.....

CIVIL ACTION SUMMONS
TRANSFERRED TO
U S DISTRICT CRT
E DISTRICT OF PA

07-Sep-2005 — LIST OF DOCKET ENTRIES FOR CASE # 2004-C-3259
MAILED TO D P RUSSO ESQ & S M HART ESQ ON 9/7/05.

FEE TYPE	DATE	AMOUNT	PAYDATE	PAYOR	REMARKS
NEW SUIT	29-Nov-2004	\$87.00	29-Nov-2004	PLTF	
SATISFACTION FEE	29-Nov-2004	\$8.00	29-Nov-2004	PLTF	
JUDICIAL COMPUTER PROGRAM	29-Nov-2004	\$10.00	29-Nov-2004	PLTF	
PROTHY AUTO TAX	29-Nov-2004	\$5.00	29-Nov-2004	PLTF	
LEHIGH COUNTY E-FILING	29-Nov-2004	\$5.00	29-Nov-2004	PLTF	
SHERIFF'S RETURN	29-Mar-2005	\$43.00	29-Mar-2005	PLTF	
TRANSFER FEE	29-Aug-2005	\$16.00	29-Aug-2005	DFT	

I, Andrea E. Naugle, Clerk of Courts of the Court of Common
Pleas of Lehigh County, Allentown, PA do certify that this is a
correct copy of the original record filed in said Court
Andrea E. Naugle, Clerk of Courts

9/7/05 *Cynthia A. Budzinski*
Deputy

Exhibit B

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

DONNA HEATER,

Plaintiff

v.

KIDSPEACE,

Defendant

No. 2:05-cv-4545

JURY TRIAL DEMANDED

AFFIDAVIT

I, Donald P. Russo, being duly sworn according to law, hereby depose and say as follows:

1. On behalf of my client, Donna Heater, on November 29, 2004, I filed a Praecipe for Writ of Summons with the Clerk of Courts, Civil Division, Lehigh County Court of Common Pleas.

2. At the time that I filed the Praecipe for Writ of Summons, I provided the Clerk of Courts with a check in the amount of \$ 40.00, check # 9610, a true and correct copy of which is attached hereto and incorporated herein as Exhibit "A".

3. At the time that I filed the aforementioned Praecipe for Writ of Summons on November 29, 2004, I also provided the Clerk of Courts with the following documents: an original and two copies of the Praecipe for Writ of Summons, Sheriff's Order for Service form, a check #9609 for \$115.00 made payable to "Clerk of Courts, Lehigh County" and self-addressed stamped envelopes for return of service, copies of which are attached hereto and incorporated herein as Exhibit "B".

4. Subsequently on March 18, 2005, I sent a letter with enclosures to the Clerk of Courts inquiring about service of the Writ of Summons. I have attached hereto and incorporated herein as Exhibit "C", a true and correct copy of the aforementioned correspondence.

5. As noted by the docket entries issued by the Clerk of Courts, Civil Division, Lehigh County Court of Common Pleas, the Sheriff of Lehigh County served the Writ of Summons on the Defendant on March 24, 2005. The return of Sheriff's Service form is attached hereto and incorporated herein as Exhibit "D".

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS ____ DAY OF
SEPTEMBER 2005.


DONALD P. RUSSO

EXHIBIT A


DONALD P. RUSSO ATTY AT LAW 117 E BROAD ST. P.O. BOX 1890 BETHLEHEM, PA 18016		9610
PAY TO THE ORDER OF <i>Sheriff, Lehigh County</i>	DATE <i>11/26/04</i>	55-33712
<i>Sixty</i>	<i>\$ 90.00</i>	DOLLARS <i>0</i>
 Fleet Small Business Services Smallbiz.fleet.com Bethlehem, PA		
FOR <i>Dana Kuster-Schmone</i>		
11#0096101# 120212003391: 00877 045231#		

EXHIBIT B

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff(s) & Address(es):

Donna Heater
57 Madison Lane
Whitehall, PA 18052

vs.

Defendant(s) & Address(es):

KidsPeace
KidsPeace Drive
Orefield, PA 18069

File No. _____

Civil Action - LAW

PRAECIPE FOR SUMMONS

TO THE PROTHONOTARY CLERK OF SAID COURT:

Issue summons in CIVIL ACTION - LAW
in the above case.

X Writ of Summons shall be issued and forwarded to Sheriff.

Donald P. Russo
Signature of Attorney

Donald P. Russo, Esquire

117 East Broad Street

P.O. Box 1390

Bethlehem, PA 18016-1890

(610) 954-8093

Date: 11/22/05

Supreme Court ID Number 25873

SUMMONS IN CIVIL ACTION

TO: KidsPeace, KidsPeace Drive, Orefield, PA 18069

YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF(S) HAS/HAVE COMMENCED AN ACTION
AGAINST YOU.

ANDREA E. NAUGLE, CLERK OF COURT
Prothonotary/Clerk, Civil Division

Date: _____

by _____ Deputy

NOTE: USE AN ATTACHED SHEET FOR LENGTHY LIST OF LITIGANTS
FILING PARTY IS TO COMPLETE BOTH PRAECIPE & WRIT TO EXPEDITE PROCESSING.

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff(s) & Address(es):

Donna Heater
57 Madison Lane
Whitehall, PA 18052

vs.

Defendant(s) & Address(es):

KidsPeace
KidsPeace Drive
Orefield, PA 18069

File No.

2004-C-3259

Civil Action - LAW

PRAECIPE FOR SUMMONS

TO THE PROTHONOTARY CLERK OF SAID COURT:

Issue summons in CIVIL ACTION - LAW
in the above case.

☒ Writ of Summons shall be issued and forwarded to Sheriff.

Donald P. Russo

Signature of Attorney

Donald P. Russo, Esquire

117 East Broad Street

P.O. Box 1890

Bethlehem, PA 18016-1890

(610) 954-8093

Supreme Court ID Number 25873

Date: 11/29/04

SUMMONS IN CIVIL ACTION

TO: KidsPeace, KidsPeace Drive, Orefield, PA 18069

YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF(S) HAS/HAVE COMMENCED AN ACTION
AGAINST YOU.

ANDREA E. NAUGLE, CLERK OF COURT

Prothonotary Clerk, Civil Division

Date:

11-29-04

by

Andrea E. Naugle

Deputy

NOTE: USE AN ATTACHED SHEET FOR LENGTHY LIST OF LITIGANTS.

FILING PARTY IS TO COMPLETE BOTH PRAECIPE & WRIT TO EXPEDITE PROCESSING.

2005

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff(s) & Address(es):

Donna Heater
57 Madison Lane
Whitehall, PA 18052

vs.

Defendant(s) & Address(es):

KidsPeace
KidsPeace Drive
Orefield, PA 18069

File No. 204-C-3259

Civil Action - LAW

PRAECIPE FOR SUMMONS

TO THE PROTHONOTARY CLERK OF SAID COURT:

Issue summons in CIVIL ACTION - LAW
in the above case.

x Writ of Summons shall be issued and forwarded to Sheriff.

Donald P. Russo

Signature of Attorney

Donald P. Russo, Esquire

117 East Broad Street

P.O. Box 1890

Bethlehem, PA 18016-1890

(610) 954-8093

Supreme Court ID Number 23873

Date: 11/21/09

SUMMONS IN CIVIL ACTION

TO: KidsPeace, KidsPeace Drive, Orefield, PA 18069

YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF(S) HAS HAVE COMMENCED AN ACTION
AGAINST YOU.

ANDREA E. NAUGLE, CLERK OF COURT

Prothonotary Clerk, Civil Division

Date: 11-29-09

by Debra A. Deshanez Deputy

NOTE: USE AN ATTACHED SHEET FOR LENGTHY LIST OF LITIGANTS.
FILING PARTY IS TO COMPLETE BOTH PRAECIPE & WRIT TO EXPEDITE PROCESSING

Debra

LEHIGH COUNTY SHERIFF

455 WEST HAMILTON STREET-ROOM 106-ALLENTOWN, PA 18101

TELEPHONE #(610) 782-3175 FAX #(610) 820-3363

DATE 11/21/04

CASE NUMBER _____

"ORDER FOR SERVICE"**ALL INFORMATION & ADVANCE FEES MUST BE SUPPLIED BEFORE SERVICE WILL BE MADE. ONE FORM FOR EACH ADDRESS**ATTORNEY'S NAME
ADDRESSDonald P. Russo, Esquire117 E. Broad St., P.O. Box 1890Bethlehem, PA 18016-1890ATTORNEY'S I.D.#
TELEPHONE #25873(610) 954-8093**CASE CAPTION:**Donna Heater, PlaintiffKidsPeace, Defendant57 Madison Lane

VS

KidsPeace DriveWhitehall, PA 18052Orefield, PA 18069**SERVICE TO BE MADE ON**Defendant, KidsPeace**ADDRESS FOR SERVICE**KidsPeace DriveOrefield, PA 18069**(NO POST OFFICE OR RD NUMBERS ACCEPTED)****TYPE OF PAPER:**

COMPLAINT IN MORTGAGE FORECLOSURE _____

REINSTATED COMPLAINT IN MORTGAGE FORECLOSURE -X-

SUMMONS IN CIVIL ACTION _____

REISSUED SUMMONS IN CIVIL ACTION _____

COMPLAINT IN CIVIL ACTION _____

REINSTATED COMPLAINT _____

WRIT OF REVIVAL _____

OTHER _____

******DEPOSIT FOR LEHIGH COUNTY \$ 40.00 ********DEPOSIT FOR _____ COUNTY \$ _____****SPECIAL INSTRUCTIONS:**

DEPUTIZE _____ COUNTY (WITHIN PENNSYLVANIA ONLY)

REGISTERED MAIL _____ (OUTSIDE OF THE UNITED STATES ONLY)

REGULAR MAIL _____

CERTIFIED MAIL _____

POST PROPERTY _____

OTHER _____

WITHOUT A SELF-ADDRESSED STAMPED ENVELOPE TO YOUR OFFICE FOR MAILING OF RECEIPT AFTER SERVICE IS COMPLETED, YOUR INFORMATION WILL BE FILED IN OUR OFFICE.*******PLEASE SEE www.lehighcounty.org**


9609

55-33/212

DATE 11-26-04

PAY TO THE ORDER OF Chenck of County, Lehigh County \$ 115.00

One hundred fifteen DOLLARS

 **Fleet**

Small Business Services
44021
Small Bus. Serv. Inc.
Bethlehem, PA

FOR Diana Hoster-Summers

11009609 1021200339 00877 04523

Bonnie B. Sullivan


9610

55-33/212

DATE 11/26/04

PAY TO THE ORDER OF Sheriff, Lehigh County \$ 40.00

Forty DOLLARS

 **Fleet**

Small Business Services
44021
Small Bus. Serv. Inc.
Bethlehem, PA

FOR Diana Hoster-Summers

11009610 1021200339 00877 04523

Bonnie B. Sullivan

Exhibit C

Law Offices
Donald P. Russo

117 East Broad Street

P.O. Box 1890

Bethlehem, Pennsylvania 18016-1890

russolaw@verizon.net

Telephone
(610) 954-8093

Telex
(610) 954-8097

March 18, 2005

Andrea Naugle, Prothonotary
Lehigh County Courthouse
455 West Hamilton Street
Allentown, PA 18101-1614

Re: Heater v. KidsPeace
No. 2004-C-3259

Dear Ms. Naugle:

I would like to file a complaint regarding a matter that has been lingering in your office for several months. On November 29, 2004, I filed a Praecipe for Writ of Summons, and I also filed all of the necessary documentation to have the Sheriff of Lehigh County complete Sheriff's Service. I have enclosed said documents marked as Exhibits "A", "B", "C" & "D" for identification.

We subsequently learned from the Sheriff's office that service had not been made, apparently because your office failed to forward the documents to the Sheriff's office. I spoke with a clerk from your office to discuss this matter. She told me that all we needed to do was to forward the proper documentation to the Sheriff's office (i.e. Order for Service Form and the check for \$40.00) and the Prothonotary would forward the Writ of Summons to the Sheriff's office. She also informed me that there would be no need to file a Praecipe to Reinstate the Writ of Summons. I have enclosed said documents marked as Exhibits "E", "F", "G" & "H". My paralegal then contacted the Sheriff's office a few days later and found out that the Praecipe for Writ of Summons had expired and we needed to file a Praecipe to Reinstate the Writ of Summons.

As a result, on February 1, 2005, my paralegal appeared at your office personally to file a Praecipe to Reinstate. I have enclosed a copy of said document, marked Exhibit "I" for identification. Unfortunately, I now learn, on Friday, March 18, 2005, (as per a conversation between my paralegal Kristin Schmidt and Cathy from the Sheriff's office), that the Writ of Summons has still not been filed.

In the final analysis, all I am seeking is to please have the Writ of Summons in this case forwarded to the Sheriff's office, and, to please request that the Sheriff's office complete necessary service of process. If the Writ of Summons has again expired, I have enclosed an original and two copies of a Praecipe to Reinstate the Writ of Summons for filing as well as a


Andrea Naugle, Prothonotary

March 18, 2005

Page 2

self-addressed stamped envelope. I would appreciate it very much if you would please confirm in writing that this request has been made. Thank you for your anticipated cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script, reading "Donald P. Russo".

Donald P. Russo

Enclosures

cc: The Honorable Ronald Rossi

EXHIBIT A

Law Offices
Donald P. Russo
117 East Broad Street
P.O. Box 1890
Bethlehem, Pennsylvania 18015-1890

Telephone
(610) 954-8093

Telefax
(610) 954-8097

November 29, 2004

VIA HAND DELIVERY

Andrea E. Naugle, Clerk of Courts
Lehigh County Courthouse
455 Hamilton Street
Allentown, PA 18101-1614

Re: Donna Heater v. KidsPeace

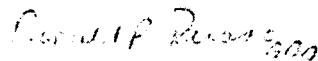
Dear Ms. Naugle:

I have enclosed the following documents for filing with your office:

- (1) Original and two copies of Praecipe for Writ of Summons;
- (2) Sheriff's Order for Service form;
- (3) Two checks: #9609, made payable to "Clerk of Courts, Lehigh County", \$115.00; and #9610, made payable to "Sheriff, Lehigh County", \$40.00; and
- (4) Self-addressed stamped envelopes for return of service.

Kindly file the Praecipe for Writ of Summons, return the time-stamped copies to my paralegal, and, forward the remaining documentation to the Sheriff's Office for service. If you have any questions, please feel free to give me a call.

Very truly yours,



Donald P. Russo

DPR:bhd

Enclosures

EXHIBIT B

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff(s) & Address(es):

Donna Heater
57 Madison Lane
Whitehall, PA 18052

vs.

Defendant(s) & Address(es):

KidsPeace
KidsPeace Drive
Orefield, PA 18069

File No. _____

Civil Action - LAW

PRAECIPE FOR SUMMONS

TO THE PROTHONOTARY CLERK OF SAID COURT:

Issue summons in CIVIL ACTION - LAW
in the above case.

X Writ of Summons shall be issued and forwarded to Sheriff.

Donald P. Russo
Signature of Attorney

Donald P. Russo, Esquire

117 East Broad Street

P.O. Box 1890

Bethlehem, PA 18016-1890

(610) 954-8093

Supreme Court ID Number 25873

Date: 11/22/05

SUMMONS IN CIVIL ACTION

TO KidsPeace, KidsPeace Drive, Orefield, PA 18069
YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF(S) HAS/HAVE COMMENCED AN ACTION
AGAINST YOU.

ANDREA E. NAUGLE, CLERK OF COURT

Prothonotary Clerk, Civil Division

Date: _____

by _____ Deputy

NOTE: USE AN ATTACHED SHEET FOR LENGTHY LIST OF LITIGANTS.
FILING PARTY IS TO COMPLETE BOTH PRAECIPE & WRIT TO EXPEDITE PROCESSING.

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff(s) & Address(es):

Donna Heater
57 Madison Lane
Whitehall, PA 18052

vs.

Defendant(s) & Address(es):

KidsPeace
KidsPeace Drive
Orefield, PA 18069

File No. 2004-C-3259

Civil Action - LAW

PRAECIPE FOR SUMMONS

TO THE PROTHONOTARY/CLERK OF SAID COURT:

Issue summons in CIVIL ACTION - LAW
in the above case.

☒ Writ of Summons shall be issued and forwarded to Sheriff

Donald P. Russo
Signature of Attorney

Donald P. Russo, Esquire

117 East Broad Street

P.O. Box 1890

Bethlehem, PA 18016-1890

(610) 954-8093

Date: 11/29/04

Supreme Court ID Number 25873

SUMMONS IN CIVIL ACTION

TO: KidsPeace, KidsPeace Drive, Orefield, PA 18069

YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF(S) HAS HAVE COMMENCED AN ACTION
AGAINST YOU.

ANDREA E. NAUGLE, CLERK OF COURT

Prothonotary/Clerk, Civil Division

Date: 11-29-04

by Anna J. Deshamp
Deputy

NOTE: USE AN ATTACHED SHEET FOR LENGTHY LIST OF LITIGANTS.
FILING PARTY IS TO COMPLETE BOTH PRAECIPE & WRIT TO EXPEDITE PROCESSING.

03/11/5

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff(s) & Address(es):

Donna Heater
57 Madison Lane
Whitchell, PA 18052

vs.

Defendant(s) & Address(es):

KidsPeace
KidsPeace Drive
Orefield, PA 18069

File No. 2004.C-3259

Civil Action - LAW

PRAECIPE FOR SUMMONS

TO THE PROTHONOTARY/CLERK OF SAID COURT:

Issue summons in CIVIL ACTION - LAW
in the above case.

☒ Writ of Summons shall be issued and forwarded to Sheriff.

Donald P. Russo
Signature of Attorney

Donald P. Russo, Esquire

117 East Broad Street

P.O. Box 1890

Bethlehem, PA 18016-1890

(610) 954-8023

Supreme Court ID Number 25873

Date 11/23/22

SUMMONS IN CIVIL ACTION

TO KidsPeace, KidsPeace Drive, Orefield, PA 18069
YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF(S) HAS HAVE COMMENCED AN ACTION
AGAINST YOU.

ANDREA E. NAUGLE, CLERK OF COURT

Prothonotary Clerk, Civil Division

Date: 11-29-07

by Andrea E. Naugle
Deputy

NOTE: USE AN ATTACHED SHEET FOR LENGTHY LIST OF LITIGANTS.
FILING PARTY IS TO COMPLETE BOTH PRAECIPE & WRIT TO EXPEDITE PROCESSING.

DE 11/5

EXHIBIT C

LEHIGH COUNTY SHERIFF

455 WEST HAMILTON STREET-ROOM 106-ALLENTOWN, PA 18101

TELEPHONE # (610) 782-3175 FAX # (610) 820-3368

DATE 11/20/04

CASE NUMBER _____

"ORDER FOR SERVICE"**ALL INFORMATION & ADVANCE FEES MUST BE SUPPLIED BEFORE SERVICE WILL BE MADE. ONE FORM FOR EACH ADDRESS**ATTORNEY'S NAME
ADDRESSDonald P. Russo, Esquire117 E. Broad St., P.O. Box 1890Bethlehem, PA 18016-1890ATTORNEY'S I.D.#
TELEPHONE #25873(610) 954-8093**CASE CAPTION:**Donna Heater, PlaintiffKidsPeace, Defendant57 Madison Lane

VS

KidsPeace DriveWhitehall, PA 18052Orefield, PA 18069

SERVICE TO BE MADE ON

Defendant, KidsPeace

ADDRESS FOR SERVICE

KidsPeace DriveOrefield, PA 18069**(NO POST OFFICE OR RD NUMBERS ACCEPTED)****TYPE OF PAPER:**

COMPLAINT IN MORTGAGE FORECLOSURE _____

REINSTATED COMPLAINT IN MORTGAGE FORECLOSURE _____

SUMMONS IN CIVIL ACTION _____

REISSUED SUMMONS IN CIVIL ACTION _____

COMPLAINT IN CIVIL ACTION _____

REINSTATED COMPLAINT _____

WRIT OF REVIVAL _____

OTHER _____

******DEPOSIT FOR LEHIGH COUNTY \$ 40.00 ******

DEPOSIT FOR _____ COUNTY \$ _____

SPECIAL INSTRUCTIONS:DEPUTIZE _____ COUNTY (WITHIN PENNSYLVANIA ONLY)REGISTERED MAIL _____ (OUTSIDE OF THE UNITED STATES ONLY)

REGULAR MAIL _____ CERTIFIED MAIL _____

POST PROPERTY _____

OTHER _____

**WITHOUT A SELF-ADDRESSED STAMPED ENVELOPE TO YOUR
OFFICE FOR MAILING OF RECEIPT AFTER SERVICE IS
COMPLETED, YOUR INFORMATION WILL BE FILED IN OUR OFFICE.*********PLEASE SEE www.lehighcounty.org**

EXHIBIT D


9609

DATE 11-26-04 55-33/212

DONALD P. RUSSO
ATTY AT LAW
117 E BROAD ST.
P.O. BOX 1890
BETHLEHEM, PA 18016

PAY TO THE ORDER OF Clerk of Court's, Lehigh County \$ 115.00

One hundred fifteen 00/100 DOLLARS

 **Fleet**
Small Business Services
smallbiz.fleet.com
Bethlehem, PA

FOR Donna Hester-Summers

⑈009609⑈ ⑆021200339⑆ 00877 04523⑈

Bonnie B. Sullivan


9610

DATE 11/26/04 55-33/212

DONALD P. RUSSO
ATTY AT LAW
117 E BROAD ST.
P.O. BOX 1890
BETHLEHEM, PA 18016

PAY TO THE ORDER OF Sheriff's, Lehigh County \$ 40.00

Forty 00/100 DOLLARS

 **Fleet**
Small Business Services
smallbiz.fleet.com
Bethlehem, PA

FOR Donna Hester-Summers

⑈009610⑈ ⑆021200339⑆ 00877 04523⑈

Bonnie B. Sullivan

EXHIBIT E

Law Offices
Donald P. Russo
117 East Broad Street
P.O. Box 1890

Bethlehem, Pennsylvania 18016-1890

russolaw@verizon.net

Telephone
(610) 954-8093

Telefax
(610) 954-8097

January 11, 2005

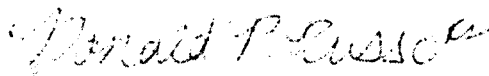
Attn: Tara (Civil Process)
Sheriff's Office
County of Lehigh
455 West Hamilton Street, Room #106
Allentown, PA 18101

Re: Heater v. KidsPeace
2004-C-3259

Dear Tara:

I have enclosed an Order for Service form and check #9610 payable to Sheriff, Lehigh County in the amount of \$40.00, as well as self-addressed stamped envelope relative to the above captioned matter. Accordingly, the Clerk of Courts will be forwarding a Writ for Service in connection with the above-captioned matter. If you should have any questions, or need any additional documentation, please feel free to contact my office at any time. Thank you for your anticipated cooperation.

Very truly yours,



Donald P. Russo

DPR/kes
Enclosures

EXHIBIT F

SHERIFF'S OFFICE
COUNTY OF LEHIGH
455 W. HAMILTON ST.; ROOM 106
ALLENTOWN, PA 18101
PHONE 610-782-3175 * FAX 610-820-3368
TARA (CIVIL PROCESS) #7538

THE ENCLOSED IS BEING RETURNED FOR THE FOLLOWING REASONS:

IN RE: CASE# 3

Dennis H. H. vs. Kidnappers

____ YOU NEED TO COMPLETE THE FOLLOWING COUNTY ORDER FOR SERVICE FORMS IN ADDITION TO LEHIGH COUNTY'S FORM.

ALLEGHENY _____
MONROE _____

LANCASTER _____
WESTMORELAND _____

____ ORDER FOR SERVICE NEEDS TO BE COMPLETELY FILLED OUT.

____ WE REQUIRE A STREET ADDRESS. WE DO NOT ACCEPT P.O. BOX #'S.

____ WE REQUIRE A SELF ADDRESSED STAMPED ENVELOPE TO YOUR OFFICE --- PER CASE.

____ ADVANCED FEE REQUIRED: NOTE: WE DO NOT REFUND
____ PAYABLE TO THE SHERIFF OF LEHIGH COUNTY.
____ PAYABLE TO THE SHERIFF OF _____ COUNTY.

XX ENCLOSED IS YOUR CHECK # 7676 IN THE AMOUNT OF \$ 50.00

____ THIS PAPER HAS EXPIRED, PLEASE REINSTATE.

____ THIS WRIT WILL EXPIRE ON _____

XX OTHER Alimony to be paid to the wife

DATE: 1-1-05 BY: TARA

**PLEASE ENCLOSE THIS FORM WITH CORRECTED
FILING & ALL PAPERWORK THAT WAS RETURNED.**

SHERIFF'S OFFICE
COUNTY OF LEHIGH
455 W. HAMILTON ST.; ROOM 106
ALLENTOWN, PA 18101
PHONE 610-782-3175 * FAX 610-820-3368
TARA (CIVIL PROCESS) #7538

THE ENCLOSED IS BEING RETURNED FOR THE FOLLOWING REASONS:

IN RE: CASE# 3

Dennis Harker vs Kidnappers

☐ YOU NEED TO COMPLETE THE FOLLOWING COUNTY ORDER FOR SERVICE FORMS IN ADDITION TO LEHIGH COUNTY'S FORM.

ALLEGHENY _____ LANCASTER _____
MONROE _____ WESTMORELAND _____

☐ ORDER FOR SERVICE NEEDS TO BE COMPLETELY FILLED OUT.

☐ WE REQUIRE A STREET ADDRESS. WE DO NOT ACCEPT P.O. BOX #'S.

☐ WE REQUIRE A SELF ADDRESSED STAMPED ENVELOPE TO YOUR OFFICE --- PER CASE.

☐ ADVANCED FEE REQUIRED: NOTE: WE DO NOT REFUND
_____ PAYABLE TO THE SHERIFF OF LEHIGH COUNTY.
_____ PAYABLE TO THE SHERIFF OF _____ COUNTY.

☒ ENCLOSED IS YOUR CHECK # 7606 IN THE AMOUNT OF \$ 450.00

☐ THIS PAPER HAS EXPIRED, PLEASE REINSTATE.

☐ THIS WRIT WILL EXPIRE ON _____

☒ OTHER Alleged kidnapping for service

DATE: 1-5-05 BY: 7606

**PLEASE ENCLOSE THIS FORM WITH CORRECTED
FILING & ALL PAPERWORK THAT WAS RETURNED.**

EXHIBIT G

LEHIGH COUNTY SHERIFF

455 WEST HAMILTON STREET-ROOM 106-ALLENTOWN, PA 18101

TELEPHONE #(610) 782-3175 FAX #(610) 820-3363

DATE 11/28/04

CASE NUMBER _____

"ORDER FOR SERVICE"**ALL INFORMATION & ADVANCE FEES MUST BE SUPPLIED BEFORE SERVICE WILL BE MADE. ONE FORM FOR EACH ADDRESS**ATTORNEY'S NAME
ADDRESSDonald P. Russo, Esquire117 E. Broad St., P.O. Box 1890Bethlehem, PA 18016-1890ATTORNEY'S I.D.#
TELEPHONE #25873(610) 954-8093**CASE CAPTION:**Donna Heater, PlaintiffKidsPeace, Defendant57 Madison Lane

VS

KidsPeace DriveWhitehall, PA 18052Orefield, PA 18069

SERVICE TO BE MADE ON

Defendant, KidsPeace

ADDRESS FOR SERVICE

KidsPeace DriveOrefield, PA 18069**(NO POST OFFICE OR RD NUMBERS ACCEPTED)****TYPE OF PAPER:**

COMPLAINT IN MORTGAGE FORECLOSURE _____

REINSTATED COMPLAINT IN MORTGAGE FORECLOSURE _____

SUMMONS IN CIVIL ACTION _____

REISSUED SUMMONS IN CIVIL ACTION _____

COMPLAINT IN CIVIL ACTION _____

REINSTATED COMPLAINT _____

WRIT OF REVIVAL _____

OTHER _____

******DEPOSIT FOR LEHIGH COUNTY \$ 40.00 ********DEPOSIT FOR _____ COUNTY \$ _____****SPECIAL INSTRUCTIONS:**

DEPUTIZE _____ COUNTY (WITHIN PENNSYLVANIA ONLY)

REGISTERED MAIL _____ (OUTSIDE OF THE UNITED STATES ONLY)

REGULAR MAIL _____

CERTIFIED MAIL _____

POST PROPERTY _____

OTHER _____

**WITHOUT A SELF-ADDRESSED STAMPED ENVELOPE TO YOUR
OFFICE FOR MAILING OF RECEIPT AFTER SERVICE IS
COMPLETED, YOUR INFORMATION WILL BE FILED IN OUR OFFICE.
*****PLEASE SEE www.lehighcounty.org**

EXHIBIT H

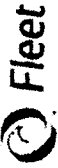
DONALD P. RUSSO ATTY AT LAW 117 E BROAD ST. P.O. BOX 1880 BETHLEHEM, PA 18016		9610	
PAY TO THE ORDER OF <u>City of Sheriff, Lehigh County</u>		DATE <u>11/26/04</u>	55-11/212
<u>City</u>		\$ <u>40.00</u>	DOLLARS <u>00/100</u>
 Fleet			
FOR Anna Hutter-Simon		Bennie B. Ellward	
Small Business Services 48011 smallbiz.fleet.com Bethlehem, PA		1100961011 10212003391 00877 0452311	

EXHIBIT I

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA
CIVIL DIVISION

DONNA HEATER,

Plaintiff,

KIDSPEACE,

Defendant.

FILE NO: 2004-C-3259

PRAECIPE TO REINSTATE OR REISSUE

TO THE CLERK OF COURTS - CIVIL DIVISION:

_____ Reinstatement the Complaint in the above captioned matter.

 X Reissue the Writ of Summons in the above captioned matter.

_____ Other:

Date: February 1, 2005

Donald P. Russo
(Signature)

Donald P. Russo, Esquire, ID#25873
(Print/Type Name)

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA
CIVIL DIVISION

DONNA HEATER,

Plaintiff,

KIDSPEACE,

Defendant.

FILE NO: 2004-C-3259

PRAECIPE TO REINSTATE OR REISSUE

TO THE CLERK OF COURTS - CIVIL DIVISION:

_____ Reinstatement the Complaint in the above captioned matter.

 X Reissue the Writ of Summons in the above captioned matter.

_____ Other:

Date: March 18, 2005

Donald P. Russo
(Signature)

Donald P. Russo, Esquire, ID#25873
(Print/Type Name)

Exhibit D

42 HY

3/24/05

SHERIFF OFFICE COURTHOUSE - 5TH & HAMILTON STREETS
455 W HAMILTON ST
ROOM 106 ALLENTOWN PA 18101-1614

DONNA HEATER
VS
KIDSPACE INC

DOC#: 2005-CV-1035
CASE: 2004-C-1259
EXPIR: 31-Aug-2007
DEPOSIT: 45.00
ENTRY: 23-Mar-2005

WRIT: REISSUED SUMMONS IN CIVIL ACTION
SERVE: KIDSPACE INC
AT: KIDSPACE DRIVE OREFIELD, PA 18069

RETURN OF SERVICE

1. NAME OF INDIVIDUAL SERVED: SUSAN LEYBURN
2. RELATIONSHIP TO DEFENDANT: Compliance Officer
3. DATE: 24 MAR 20 05 TIME: 1423 HOURS:
4. LOCATION OF SERVICE: 4085 INDEPENDENCE DR. SCHNECKSVILLE

5. UNABLE TO LOCATE:

() NUMBER OF ATTEMPTS TO LOCATE DEFENDANT AT LAST KNOWN ADDRESS:

1. DATE & TIME _____ 2. DATE & TIME _____
3. DATE & TIME _____ 4. DATE & TIME _____
5. DATE & TIME _____ 6. DATE & TIME _____

ACCEPTANCE OF SERVICE

I HEREBY ACCEPT SERVICE OF THE LEGAL PROCESS AS OUTLINED ON THE FRONT OF THE DOCUMENT. THIS SERVICE IS ACCEPTED ON BEHALF OF THE LISTED DEFENDANT(S) AND I HEREBY CERTIFY THAT I AM AUTHORIZED TO DO SO.

Susan Leyburn
PRINTED NAME OF AUTHORIZED AGENT

Susan
SIGNATURE OF AUTHORIZED AGENT

DATE: 3/24/05

TIME: Compliance Officer

LARRY BUNGEN
PRINT NAME OF DEPUTY SHERIFF

SO ANSWERS

Larry Bungen #40
DEPUTY SHERIFF

SHERIFF OF LEHIGH COUNTY

RECEIVED
MAR 24 2005

BY: BD